

Introduced: 3/15/72
Referred: Commerce

1 IN THE SENATE

BY THE STATE AFFAIRS COMMITTEE

2 SENATE BILL NO. 380

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 SEVENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the registration of aircraft."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. AS 02.35.020 is amended to read:

9 Sec. 02.35.020. AIRCRAFT LICENSE AND REGISTRATION REQUIRED. No
10 civil aircraft may be flown or operated in this state unless it has an
11 appropriate existing license or permit under federal law and is regis-
12 tered under this chapter, unless exempted from the registration re-
13 quirement by sec. 80 of this chapter.

14 * Sec. 2. AS 02.35.040 is repealed and re-enacted to read:

15 Sec. 02.35.040. REGISTRATION OF AIRCRAFT. Except as exempted by
16 sec. 80 of this chapter and except for aircraft registered under AS 02.
17 05, every owner of an aircraft, before he operates or flies it in the
18 state, even though the aircraft has an appropriate effective certifi-
19 cate, permit or license issued by the United States, shall file with
20 the department a certified copy of the federal license or permit,
21 required under sec. 20 of this chapter, and an application for
22 registration of the aircraft, signed by the owner, on a form prescribed
23 by the department, containing:

24 (1) the name, residence and business address of the owner
25 of the aircraft;

26 (2) a brief description of the aircraft sufficiently ex-
27 plicit for proper identification; and

28 (3) any other information the department may reasonably
29 require to enable it to determine whether the aircraft is entitled to

1 registration.

2 * Sec. 3. AS 02.35 is amended by adding new sections to read:

3 Sec. 02.35.042. PAYMENT OF REGISTRATION FEE. (a) The fees
4 for registration of aircraft under this chapter are as follows:

- 5 (1) Aircraft weighing 4,000 pounds gross weight or
6 less. \$ 50
7 (2) Aircraft weighing over 4,000 pounds but less than
8 7,900 pounds gross weight 100
9 (3) Aircraft weighing 7,900 pounds but less than
10 12,500 pounds gross weight 150
11 (4) Aircraft weighing 12,500 pounds but less than
12 27,000 pounds gross weight. 200
13 (5) Aircraft weighing 27,000 pounds but less than
14 50,000 pounds gross weight. 300
15 (6) Aircraft weighing 50,000 pounds but less than
16 75,000 pounds gross weight. 400
17 (7) Aircraft weighing 75,000 pounds gross weight or
18 more 600

19 (b) The registration fee shall accompany the application for
20 registration and shall be paid to the department for each aircraft
21 for which application for registration is made.

22 (c) An aircraft shall be registered before January 30. Aircraft
23 purchased new or entering the state after January 30, shall be regis-
24 tered within 60 days after the date of purchase or entering the state,
25 as the case may be.

26 Sec. 02.35.044. ISSUANCE OF NUMBER PLATE AND CERTIFICATE. (a)
27 Upon receipt of an application for registration of an aircraft, a
28 certified copy of the federal license or permit and payment of the
29 required registration fee, the department shall file the application,

1 assign to the application and the aircraft to be registered a distinc-
2 tive number and register the facts stated in the application and the
3 number in an index kept for that purpose.

4 (b) A number plate and a certificate of registration, bearing the
5 same number assigned to the application, and in a form and design deter-
6 mined by the department, shall be delivered to the owner of the aircraft.

7 (c) Duplicate certificates of registration may be obtained, upon
8 proof of loss or destruction of the original, by application to the
9 department and the payment of \$5 for each additional certificate.

10 Sec. 02.35.046. EXPIRATION AND RENEWAL OF REGISTRATION. (a) A
11 registration under sec. 40 of this chapter expires on December 31 of
12 each year and shall be renewed annually in the same manner as an
13 original application for registration and upon the payment of the fee
14 required under sec. 42 of this chapter. The renewal takes effect on
15 January 1 of each year. All renewals shall be made before January 30
16 of each year.

17 (b) On or before March 31 of each year, the department shall
18 certify to the Department of Revenue the number of aircraft and the
19 weight of each permanently based in each city or organized borough of
20 any class.

21 Sec. 02.35.048. TRANSFER OF REGISTRATION. Upon the purchase of
22 an aircraft registered under sec. 40 of this chapter, title to the
23 certificate of registration assigned to the aircraft vests in the
24 purchaser. The purchaser, within five days after the date of purchase,
25 shall file with the department a certified copy of the appropriate
26 federal license or permit and an application to transfer the registra-
27 tion, stating his name, residence and business address, the name of
28 the seller, the registration number assigned to the aircraft, and a
29 brief description of the aircraft as required for an original application.

1 Upon receipt of the application and payment of a fee of \$5, the depart-
2 ment shall transfer the license and registration number to the purchaser,
3 and shall record the transfer. No sale or transfer of an aircraft
4 registered under this chapter is valid without compliance with this
5 section. If an aircraft is not registered at the time of purchase,
6 even though the aircraft may have been purchased within the state, new
7 or used, the purchaser shall register it.

8 * Sec. 4. AS 02.35.060 is amended to read:

9 Sec. 02.35.060. PROPER OFFICER TO MAKE AND CERTIFY COPIES OF
10 LICENSES. The certified copies of federal licenses and permits required
11 to be filed with the department under the provisions of this chapter
12 may be made and certified by any officer authorized to administer
13 oaths and having an official seal, inside or outside the state. [NO
14 CHARGE MAY BE MADE BY THE DEPARTMENT FOR THE FILINGS REQUIRED.]

15 * Sec. 5. AS 02.35.070 is amended to read:

16 Sec. 02.35.070. RECEIPTS FOR CERTIFIED CERTIFICATES. The depart-
17 ment, upon receipt of certified certificates required [AS PROVIDED]
18 by sec. 50 [SECS. 20 - 50] of this chapter, shall immediately issue
19 to the proper party a receipt for the certified certificate, which is
20 prima facie evidence that the party has complied with the airman
21 registration requirements of this chapter.

22 * Sec. 6. AS 02.35.080 is repealed and re-enacted to read:

23 Sec. 02.35.080. EXCEPTIONS TO APPLICATION OF CHAPTER. (a) The
24 provisions of this chapter do not apply to the first entry of a civil
25 airman while engaged exclusively in commercial flying, constituting an
26 act of interstate or foreign commerce.

27 (b) The provisions of this chapter do not apply to

28 (1) an aircraft owned by and used exclusively in the service
29 of a government or political subdivision of a government, including the

1 government of the United States, a state, territory, or possession of
2 the United States, or the District of Columbia, which is not engaged
3 in carrying persons or property for commercial purposes;

4 (2) an aircraft registered under the laws of a foreign
5 country;

6 (3) an aircraft which is owned by a nonresident and regis-
7 tered in another state; however if the aircraft remains or is based in
8 the state for a period of more than 90 days, it is not exempt under
9 this section;

10 (4) an aircraft engaged principally in commercial flying
11 constituting an act of interstate or foreign commerce;

12 (5) an aircraft registered under AS 02.05.

13 * Sec. 7. AS 02.35.090 is amended to read:

14 Sec. 02.35.090. LICENSE AND PERMIT TO BE EXHIBITED ON REQUEST;
15 AND DISPLAY OF NUMBER PLATE. (a) A certificate, permit, rating or
16 license required for an airman by the federal government shall be kept
17 in his personal possession when he is operating in the state and shall
18 be presented for inspection upon the demand of a peace officer or
19 another officer of the state or of a municipality, or a member,
20 official or employee of the department or an official, manager or
21 person in charge of an airport upon which the airman lands, or upon
22 the reasonable request of any other person.

23 (b) A certificate, permit or license required by the federal
24 government for an aircraft and a state certificate of registration for
25 an aircraft shall be carried in the aircraft at all times while the
26 aircraft is operating in the state. They [IT] shall be conspicuously
27 posted in the aircraft where they [IT] may be readily seen by passen-
28 gers or inspectors, and shall be presented for inspection upon the
29 demand of a peace officer or another officer of the state or of a

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